

TERRITORY OF WISCONSIN.

DECEMBER 6, 1832.

MR. KERR, from the Committee on the Territories, to which the subject had been referred, made the following

REPORT:

The Committee on the Territories, to which was referred the resolution, of the 12th day of December last, instructing them "to inquire into the expediency of creating a separate Territorial Government, north of the States of Illinois and Missouri, and west of Lake Michigan," together with the memorials of the Legislative Council of Michigan, and sundry inhabitants of that Territory, beg leave to report:

The committee, upon referring to former memorials upon the subject of a division of this Territory, and to the favorable reports repeatedly made to the House by its committees, on the basis of important facts and views heretofore presented by the enterprising citizens of the United States, who have emigrated to that valuable and interesting country, lying west of lake Michigan, have had no difficulty in coming to the same conclusion as that of their predecessors; that it is due, both in point of justice and policy, on the part of the Government of the United States, to extend to those citizens the protection and benefits of a temporary government, in which they shall participate, upon the principle of actual, and not nominal, representation, in the enactment of laws suitable to their condition, and by the immediate and direct operation upon them of the executive and judicial power in giving that prompt relief and protection which their situation and circumstances demand; and that such a people should no longer be debarred of those advantages, when it is believed that, with the fostering care of a wise and prudent local Government, their prospect of soon becoming an important portion of the Union, would be bright and flattering.

To a newly settled country, abounding in resources and fertility, calculated to invite continued emigration and settlement, the immediate action of government upon the wants and exigencies of the inhabitants, is most essential; and the chief object of a temporary government is to observe closely their necessities and inconveniences, and to apply, forthwith, the appropriate remedy or relief.

It is clear, from the geographical relation of that part of the existing Territory of Michigan which lies west of the lake, to the elder inhabitants, who have filled up the peninsula to the east, now usually denominated Michigan *proper*—no convenient arrangement is likely ever to be made, by which a future state might conveniently comprise them in one. The country is

divided by the lake and the straits of Michillimackinac, so as to preclude any single point of communication by land. The ordinary communication being necessarily by water, during the winter season is nearly impracticable; and the seat of the government of the existing Territory, for half the year, is therefore beyond the reach of the citizens on the west side of the lake at the nearest points, and still more so of the more important settlements, whose distances from Detroit extend from five hundred to one thousand miles. Thus, for example, the settlers on the Mississippi can neither participate in the enactment of laws, nor have timely notice of the operation of them.

This committee are of opinion that the limits of the Territory of Michigan, as originally separated from the then Indiana Territory, ought, upon every fair and just principle, to be preserved to its present population, so as to enable them to emerge, as early as possible, into the condition of an independent State of the Union, and so enjoy the fruits of their enterprise and persevering association under Territorial rule. The committee therefore recommend that, in a severance of the present Territory of Michigan, the eldest and the most populous portion should be left under its original limits, and that the integrity of its bounds should be preserved by a line drawn through the lake to its northern extremity, and thence by a line drawn due north to the northern boundary of the United States; and with this division and separation of the new Territory from every point of lake Huron, they also propose the adoption for it of the name of Wisconsin, instead of that of Huron, as heretofore contemplated.

This committee have been favored with an important and satisfactory communication from the present delegate of Michigan, presenting strong views and cogent reasons for the erection of a separate Government over the western portion of the Territory; and this communication, and a former one addressed by the same delegate, in the 2d session of the 20th Congress, to the committee who then had the same subject under consideration by order of the House, are considered documents of great value, proper to be appended to, and made a part of this report, for the better illustration of the subject.

This committee, upon the view taken by them of this whole subject, are entirely satisfied of the justice and policy of the proposed measure of constituting a new Territorial Government over the inhabitants of Michigan west of the lake, and accordingly report a bill.

Letter from the Hon. Austin E. Wing, delegate from the Territory of Michigan, to the Committee on the Territories.

JAN. 13, 1829.—Read, and referred to the Committee of the Whole House to which is committed the bill establishing the Territorial Government of Huron.

To the Honorable the Chairman and Members of the Committee on the Territories:

GENTLEMEN: From various inquiries which have recently been made of me, relative to the contemplated *Territory of Huron*, I am satisfied that

the few explanations which have been given to the House, when the subject has heretofore been before it, have not been fully understood; and that many of the members are unacquainted with a variety of strong reasons which exist in favor of creating the Territory. And, lest even some of the committee who reported the bill should be unapprised of reasons in its favor, growing out of the rapid emigration to that country during the last summer, and of new developments of the resources of that country since the bill was reported, I have taken the liberty to address the committee on the subject; believing that more satisfactory explanations can be given in this way, than can well be offered at the moment of time when it shall become necessary for the House to act definitively on the subject.

The explored and known parts of the contemplated Territory, and within which the principal settlements are formed, is that portion of the north-western Territory lying between lake Michigan and the Mississippi, and north of the State of Illinois, which, at the time that Illinois became a State, was, for the purposes of civil jurisdiction, attached to the Territory of Michigan.

At that time, the number of inhabitants in that country was small; their business was principally that of the Indian trade, which required but little or no other protection than that which was afforded by the laws of the United States, regulating our intercourse with the Indian tribes; and although they were several hundred miles from the seat of Government, and from the principal settlements in the Territory, very little inconvenience resulted to them from their union with Michigan.

But soon after the late war, military posts were established at Green Bay, Prairie du Chien, and St. Peter's, the two former of which contained the principal white settlements, and the effect of which was to increase the white population of the country to a considerable amount, probably, in 1823, to fifteen hundred. Within the last three or four years, however, since the resources of the country in minerals have been developed, and an opportunity has been afforded of leasing mineral lands from the Government, the emigration to that country has been almost unparalleled, and the appearance and business of the country have assumed a different and an interesting aspect. During the last summer and fall, and even during the present session, I have received numerous communications from that country, on the subject of their wants, the number of their inhabitants, &c. &c. I have also conversed with several intelligent gentlemen who have visited there during the last year. Various estimates have been given me as to the amount of population, varying between 10 and 20,000. The lowest number given me at any time, since the last of October, has been 10,000; and by several gentlemen of good judgment and intelligence the number has been estimated at from 12 to 15,000. In short, I believe I am warranted fully in saying, that the population there amounts *at least* to 10,000 inhabitants. The larger portion of these citizens are upon the Mississippi, Ouisconsin, and Fever rivers, divided into several distinct settlements, of from 800 to 2,000 each, not far remote from each other, whose principal occupation is the digging of ore and the manufacturing of lead. The returns at the War Office will show that within the last two or three years, upwards of 20,000,000 of pounds of lead have been made there; and that the United States' Government, which receives one-tenth, has, during that time, derived a revenue from the enterprise and industry of those people, of 2,000,000 of pounds of lead, which, at four cents per pound, (the esti-

mated value there) is equal to \$80,000. The principal part of the remaining population are at Green Bay, where there is a settlement of no inconsiderable commercial, as well as agricultural importance. The whole country around it is represented, by those who have lived there, as rich and beautiful, and in an eminent degree healthy. Considerable pains have been taken, during the last year or two, by several enterprising and intelligent gentlemen, to explore and examine with care that portion of the country which is bounded east by lake Michigan, on the south by the State of Illinois, west by the Mississippi, and north by the Ouisconsin and Fox rivers; of an average distance, from north to south, of about one hundred and fifty miles, and from east to west, of about two hundred; and all concur in a very favorable representation of the country, as generally composed of either rich mineral or good farming land.

Of that portion of the Territory bordering upon Lake Superior and upon the sources of the Mississippi, very little is known: much of it, however, is represented, by Governor Cass, and others, who have travelled through it, as being a cold and uninteresting country, though furnishing abundant indications of copper and other minerals. It cannot, however, be predicted with certainty, to what extent those more northern regions will ultimately furnish inducements to the permanent settlements of civilized man.

Of the country embraced by the boundaries contemplated by the bill, lying north of the State of Missouri, and west of the Mississippi, very little information has been collected which can be relied upon. The best accounts of it are obtained from Major Long's travels in that country, and from the Indian traders; and it is not improbable, from the accounts of both, that it will ultimately admit of a dense population. But this much has been ascertained, that, even between Lake Michigan and the Mississippi, and north of Illinois, there will be likely to grow up, within a short period, an important and rich State of the Union. As an evidence that but little is known of the recent history of the northwestern country, and of the march of improvement, and the rapid tide of emigration, which, for the last seven or eight years, has flowed to it, it was intimated on the floor of Congress, but a few days since, that there could probably be no very urgent necessity for creating a new Territory, inasmuch as that, in 1820, the whole population of Michigan, including the country west of lake Michigan, was, according to the census, but little more than 8,000. The inference seemed to be, that the population of that country must necessarily be small at this time. But, whoever labors under the impression that the Territory wanted attractions, and that the paucity of its numbers was attributable to that fact, will be able in part to account for his error, by advertent to the fact that not a foot of the public lands was surveyed and brought into market, within that Territory, previous to the year 1818. And the objection above alluded to, will, I trust, be entirely removed by a short examination of reports which have been laid upon our tables. Whoever will take the pains to examine the returns to the General Land Office, exhibiting the amount of moneys paid into the Treasury for lands sold in that Territory, will find that, since 1818, the Land Office in Detroit has, during some years, fallen but little short in its payments of the highest sums paid by the most productive offices in the United States; and by turning to the report of the Commissioner of the General Land Office, made in the winter of 1826 and '7, it will be seen (if I mistake not) that, whilst in the Territory of Arkansas, previous to that time, there had been sold of

lands only to the amount of about \$40,000, and in Florida about \$90,000, there had been sold in Michigan to an amount exceeding \$400,000. Nor will it at this time be controverted, by any one acquainted with that country, that we have at this moment, in Michigan *proper*, between 25 and 26,000 inhabitants, with such a tide of emigration to it, as to render it probable, that, in two years, certainly not more than three, the citizens of Michigan will present *here* strong claims for admission into the Union, as a sister State.

The proposed *Territory of Huron*, if organized under favorable auspices, will not probably be much behind either Michigan, Arkansas, or Florida, in a similar application. With a population already of from 10 to 15,000 inhabitants, it is daily receiving additions to its numbers from the States of Ohio, Kentucky, Tennessee, Indiana, Illinois, and Missouri; and it is a fact worthy of remark, and known to several gentlemen now in this city, that about six thousand inhabitants emigrated there during the months of July, August, and September last; and such is the appearance of business there already, that, in the country upon the Ouisconsin and Fever rivers, about three hundred miles north of the seat of Government in Illinois, and 350 north of St. Louis, regular post coaches are now running. Such, indeed, is the accumulation of their numbers, and such the extent of their business relations with each other, with other parts of the United States, and with the Government itself, that they appeal with confidence to the Government under which they live, and whose citizens they have always been proud to acknowledge themselves to be, to extend to them privileges similar to those which it has heretofore extended to other citizens, who, it is believed, in no instance, have ever presented stronger claims upon the Government for its protection. The people of that country have very little identity of interest or feeling with those of the peninsula of Michigan, with whom they are at present united. The course of their business is down the Mississippi, excepting that of the settlement at Green Bay. Neither their business nor amusements would lead them to Detroit, their present seat of Government, according to the ordinary course of things. Green Bay itself, which is near the eastern boundary of the Huron Territory, is about 500 miles from Detroit, by any travelled route; and the principal settlements upon the Mississippi are, by the ordinary channels of communication, from eight hundred to a thousand miles. They allege, with great force, that, in their numerous business concerns, authorized municipal regulations, and a regular and known system of laws for their government, are indispensably necessary. But, from the very nature of their situation, it is impossible that they can have either, or any, excepting those which are altogether arbitrary, and dictated by a few men of wealth and adventitious power, whose *will* alone becomes, temporarily, the law of the land. Surely a state of things like this was never designed to exist, much less to be perpetuated, by the Government of the United States. I know of no mode by which those inconveniencies and evils can be remedied but by extending to them the privileges, indeed I may say *rights*, of a government of their own; or, at least, by granting them a separate Territorial Government, similar to those which have been granted to other Territories.

They complain that, from their remoteness from the seat of Government at Detroit, and from the difficulty, if not utter impracticability, for a considerable portion of the year, when the water communication is locked up with *ice*, of communicating with either the Executive, Judicial, or Legis-

lative Departments of the local Government, they are deprived, in a great measure, of the benefits of the laws or government of the Territory. The Legislature of Michigan, from necessity, has its sessions in the summer season, because the members from the north and northwest cannot get to Detroit in the winter. Its sessions have generally been commenced in the spring, or early in June, and continued sixty days. Its acts and proceedings have then to be printed; and generally, before they can be ready for distribution, and sent into the northwestern country, the communication will again be shut up by *ice*; so that the people upon the Mississippi, independent of being unrepresented, cannot, in the ordinary course of things, receive the laws designed for their benefit until the succeeding year. By this time, the Legislature will be in session again. The consequences must be obvious to every one—that, whilst Territorial or even United States' officers, upon the Mississippi, are executing what they suppose to be the existing laws of the land, the Legislature, if it makes new enactments, or repeals or amends old ones, are rendering of doubtful validity all that they do. These are facts which must be self-evident to all who will reflect a moment upon them, or who are acquainted with the situation of that country.

It has been objected, that the quantity of land in that Territory, to which the Indian title is extinguished, is so small, that the creation of a new Territory would seem to impose an additional obligation upon the Government to disburse large sums of money for the purchase of more land. Hence, it would be inexpedient to adopt the measure. In reply to that objection, it may perhaps be sufficient to say, that, at the last session of Congress, an appropriation was made for the purpose, and the President of the United States was authorized to appoint Commissioners to proceed to that country, hold a treaty, and purchase at least the mineral lands from the Indian tribes who own them. Accordingly, Commissioners were appointed, who have executed, in part, that trust; and there is but little doubt that, during the ensuing season, the objects of the Government will, in that regard, be accomplished. This once done, if the Government should continue to lease, or if it should even sell its mineral lands, such will be the temptations which these lands will hold forth to our enterprising citizens, that a heavy population will crowd there, and a well regulated Government, immediately over them, will be of pressing importance, both to them and the General Government.

But even if the Government had not already taken measures for extinguishing the Indian title to an additional quantity of those lands, the objection could not be of long duration. Too much has already been ascertained of the value of that rich mineral country, to leave it problematical that the Government would deem it both politic and profitable soon to possess itself, by fair and honorable purchase, of a district of country which would be of such vast value to itself; and which, in either event, would soon be rendered, by the unrestrained enterprise of its inhabitants, valueless to the Indians in their hunter state.

I have the honor to be,

Very respectfully,

Your obedient servant,

A. E. WING.

WASHINGTON CITY, January 10, 1829.

HOUSE OF REPRESENTATIVES, Jan'y 4, 1832.

*To the Honorable the Chairman
and Members of the Committee on Territories:*

GENTLEMEN: Representing, as I do, that district of country which embraces, not only the original limits assigned to the Territory of Michigan, but a considerable portion of that Territory, whose inhabitants seek to be created into a separate Government, I shall be pardoned for trespassing a moment upon the attention of the committee in relation to the importance of the measure. On a former occasion, in 1829, I had the honor of submitting such views as the situation of that country, at the time, seemed to justify; and since then, during the last year, an actual examination enables me to say, with confidence, that the urgency of the measure has by no means diminished. I found a country between Lake Michigan and the Mississippi, not surpassed in richness of soil, purity and excellence of water, and salubrity of climate, by any which I have ever explored. It is well supplied with fine streams of water; many of which are navigable, for considerable distances, for boats of several tons burden, and nearly all affording first rate privileges for hydraulic purposes. In short, the country is inviting, and well adapted to the sustenance of a numerous, dense, and active population; and when freed from the embarrassments of Indian title, which now covers a part of it, and the public lands shall be brought into market; it is believed that the tide of emigration, both from the east and the south, will press heavily in that direction; such an event might be confidently anticipated, even without the advantages afforded by the superabundance of mineral, which is found to exist nearly throughout that whole extent of country. But when you take into view the additional inducements held forth to emigrants by the inexhaustible mines of the country, the conviction is irresistible that it must populate more rapidly than has any Territory or State west of the Alleghany mountains; and that nothing but the fostering care of the Government is wanting, to lay the foundation of a rich and populous State. Six years, however, or more, have elapsed since the citizens of that country presented their petitions to Congress for an organized Government of their own, separate from the peninsula of Michigan. With increasing hopes, from year to year, ever since, as the importance of the measure became more and more obvious, they have renewed and urged their petitions for consideration. They have stated, with truth, the fact, that nature has formed an insuperable barrier, which forbids the idea of a continued union, under the same local government, of the two districts of country lying on opposite sides of Lake Michigan—separated as they are, and ever must be, by the lake, a distance of more than a hundred miles, for six months in the year impassible with vessels, and having at no season of the year any identity of either interests or pursuits; it would seem that but little argument would be necessary to prove the reasonableness of their request. They have, however, urged many additional reasons for the anxiety which they have constantly felt in relation to the subject. The distance from Green Bay, the nearest settlement west of the lake, to the present seat of Government, by the usually travelled route; indeed, by the only route which can be travelled, except by going through parts of Indiana and Illinois; is upwards of five hundred miles; and from the mineral district and Prairie du Chien, on the Mississippi, from eight hundred to a thousand. Various causes have also existed heretofore, to prevent them from having

but little, if any, participation in the legislation of the Territory. Their remote situation has been such, that their wants have been but little understood, and, of course, but partially provided for. It has, indeed, more than once occurred, that the laws passed by the Legislative Council at Detroit, have not reached the settlements west of Lake Michigan, for more than six months after they were enacted, whilst the civil magistrates of that country, unapprised of amendments to some laws, and the repeal of others, have been acting under those of no validity. The consequence has been, that, at subsequent meetings of the Legislative Council, enactments have been made to legalize the proceedings of those officers who have, of necessity, been thus administering laws blindfold. These evils must, of course, increase in proportion as the population of that country increases, and as the business operations of the country multiply; and, it is believed, that no adequate remedy can be applied short of granting them a local Government, which will provide for and administer to them, laws adapted to their peculiar situation and wants.

Two objections only, it is conceived, can be urged with any plausibility against the immediate organization of the proposed Territory. One is the scantiness of its population; the other is the expense to the General Government. In answer to the 1st objection, it is admitted, if you take the last census as the true basis upon which to estimate the number of inhabitants, the objection would seem to be entitled to some weight. But to those acquainted with the history of that country, it is known, that, in 1829, accidental circumstances, which proved temporary in their nature, reduced its population from upwards of ten thousand to less than four. The price of lead, at that time, was reduced so low, that, in the mineral district, (which was the most populous,) it was destructive to miners and smelters to pursue their occupations. The Indian title to that section of the country had not been extinguished, and the agents of the Government were compelled to forbid that the soil should be cultivated for agricultural purposes. Consequently, a large portion of the population, suddenly thrown out of employment, and unable to procure provisions for subsistence except at exorbitant prices, were compelled to abandon the country at the sacrifice of nearly all they possessed. The events of succeeding years, however, have changed the whole aspect of that country. Treaties have been held with the Indian tribes; large tracts of mineral, as well as agricultural country, have been ceded to the United States; surveys of the land are in progress; the price of lead has increased, and affords ample inducements for working the mines; and the country is rapidly filling up with a population both enterprising and stable, and assumes again the appearance of thrift and business. With a population, at this time, of about seven thousand actively engaged in business, and paying (particularly in the mineral district) considerable sums in rent lead, annually, to the Government, it is thought that, that section of country presents as strong claims upon the United States for a local Government, such as it asks, as any district of country which has ever been created into a Territory. Besides the objection can be urged with but little force, when the present population of the proposed Territory shall be compared with that of several other Territories at their organization. The Indiana Territory was formed in 1800, and contained a population of 5,641. Michigan was formed into a Territorial Government in 1805, with a population of less than four thousand; and the Mississippi Territory was created in 1798; and, although Alabama was then included

within her limits, the number of her inhabitants, in 1800, amounted only to 8,850; none of which Territories presented, in any other point of view, as strong claims for a distinct organization as the country west of Lake Michigan.

The 2d objection anticipated, viz. that of supporting the Government; will, I apprehend, be in a great measure obviated, by adverting to the report of the Superintendent of the lead mines, which has been laid upon your tables during the present session of Congress. That document will show that, since the United States first authorized the working of what is termed the Galena and Wisconsin lead mines, they have yielded an annual product of from 335,130 to 13,343,150 pounds; and that the total product, up to the autumn of 1831, has been 45,975,995 pounds, of which the United States have received in rent 396,310 pounds, which, at a fair average price of lead, would amount to the sum of \$17,833 95; and should the General Government continue to pursue the same system of renting or leasing, and, at the same time, place the public lands in a situation to be occupied and improved for agricultural purposes, there is but little doubt that the annual rents to the Government will be more than doubly sufficient to defray all the expenses of the local Government, which the citizens of that country solicit for their aid and *protection*.

I have the honor to be,

Very respectfully,

Your obedient servant,

A. E. WING.

